



~~TOP SECRET~~
THE JOINT CHIEFS OF STAFF
WASHINGTON, D. C. 20301

JCSM-107-67

27 FEB 1967

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: A Settlement of the Conflict in Vietnam (U)

1. ~~(S)~~ Reference is made to a report to the President by General Maxwell D. Taylor, dated 30 January 1967, in which he sets forth five key questions bearing on the subject of a settlement of the conflict in Vietnam.
2. ~~(S)~~ Appendix A contains responses to General Taylor's questions. It is recommended that the positions of the Joint Chiefs of Staff, summarized in Annex A to Appendix A, be considered in the formulation of a comprehensive US policy on the settlement of the conflict in Vietnam.
3. ~~(S)~~ Since these questions involve matters of inter-departmental interest, you may wish to forward a copy of the paper to the Secretary of State. A suggested memorandum for that purpose is attached as Appendix B.
4. ~~(S)~~ The Joint Chiefs of Staff request that, in the future formulation of US policy concerning a settlement of the conflict in Vietnam, they be afforded an opportunity to provide you their views based upon the situation which exists at the time.
5. (U) Without attachments, this memorandum is downgraded to SECRET.

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TOP SECRET CONTROL	
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For the Joint Chiefs of Staff:

SIGNED

EARLE G. WHEELER
Chairman
Joint Chiefs of Staff

Attachments

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APPENDIX A

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RECAPITULATION

Question

No. 1: What price should we exact for the cessation of bombing in the north? (Annex B)

Conclusions

- a. The minimum price we should exact for a cessation of our bombing in the North is a cessation by North Vietnam of its infiltration of personnel and materiel into South Vietnam and Laos, with effective inspection and verification thereof.
- b. The Government of Vietnam has the sovereign right of circulation throughout all of South Vietnam and the obligation to protect its citizens and to maintain law and order. In no instance should this right be restricted, jeopardized, or negotiated.
- c. Since a cessation of our bombing in the North is one of our most important negotiating assets, we should endeavor to exact additional concessions. In terms of immediacy, these concessions include:
 - (1) A cessation of support and direction by North Vietnam of the Viet Cong and conclusive demonstration that withdrawal to North Vietnam has begun of North Vietnamese military forces and equipment and cadres from South Vietnam and the demilitarized zone, and from the Laotian Panhandle.
 - (2) A cessation of North Vietnamese military operations in South Vietnam.
 - (3) A significant reduction of North Vietnamese/Viet Cong acts of terrorism in South Vietnam.
- d. Additional concessions, in terms of what is needed for the restoration of peace in South Vietnam, are listed below. While these concessions are not now of the immediacy of those in paragraph b, above, they could become so with the passage of time and changes in the military situation.
 - (1) The withdrawal by North Vietnam of all its military forces and equipment and cadres from South Vietnam and the demilitarized zone, and from the areas of Laos not occupied by the communists prior to the signing of the Geneva Accords on Laos on 1962, with effective inspection and verification. During this withdrawal, all radio transmissions would be in the clear. Withdrawal would include the dismantling of the communications net.
 - (2) A cessation of all North Vietnamese/Viet Cong acts of terrorism in South Vietnam.
 - (3) Agreement by North Vietnam and the Viet Cong to exchange prisoners with the allies.
- e. A firm agenda for reaching agreement on specific issues should be established, and progress on this agenda should be insisted upon. Drawn-out negotiations caused by communist intransigence or stalling or communist violation of any of the conditions which led to a cessation of the bombing in North Vietnam should constitute a basis for resumption of the bombing.

Question

No. 2: What forms of verification are essential to protect ourselves against unfulfilled communist promises or the traps of a phony de-escalation?
(Annex C)

Conclusions

- a. There is no case since World War II where an international peacekeeping organization has been fully effective in maintaining the peace. Moreover, in view of past patterns of communist intransigence, subversion and obstructionist tactics, there is serious doubt that any form of an international control commission can be effective in Vietnam.
 - b. If the United States is to accept an international control commission in Vietnam, a new organization must be developed which is free of the serious deficiencies of the present commission.
 - c. The preferred alternative to a new international control commission, and the best way of assuring effective verification, is unilateral inspection and policing of the truce by the belligerents themselves, particularly during the period of negotiations and prior to assumption of this responsibility by an international control commission. Such activities would include: patrolling and unlimited access by US/Government of Vietnam/Free World Military Assistance Forces to all parts of South Vietnam, including the southern portion of the demilitarized zone; air reconnaissance and surveillance over North Vietnam, South Vietnam, and Laos, as well as other forms of intelligence collection, to include coastal surveillance of North Vietnam, South Vietnam and Cambodia, and covert operations in Laos and Cambodia to detect any attempts by North Vietnam/Viet Cong to infiltrate personnel and materiel into those countries and from them into South Vietnam.
 - d. Under a formal agreement requiring withdrawal of US forces, inspection and verification should be placed in the hands of an international organization only if it is in-being, in-place, and effective. It should be recognized, however, that the organization probably would have neither the responsibility for nor the capability of enforcing the peace.
 - e. DIA and other intelligence resources should continue surveillance and analysis of areas, points, and routes on land, sea, and in the air to include North Vietnam and South Vietnam, Laos, Cambodia, and other possible areas of interest in Southeast Asia; further, data derived therefrom should be kept current for ready reference.
-
- a. The Seven Nations* should develop their negotiating positions and strategy well in advance of any peace negotiations. Their pronouncements in the Manila Communique can provide a suitable framework for the objectives to be sought. The negotiating strategy should prescribe the role of each allied nation, to include who will be negotiators and who will be observers. The negotiators should be South Vietnam and the United States (ostensibly the United States would be an observer with the understanding that, behind the scene, it would have a primary role). The remainder would be observers.
 - b. Since the main antagonists are South Vietnam and North Vietnam, and in order not to create the impression of impinging upon South Vietnamese sensibilities concerning their sovereign status, the Government of Vietnam should desirably be the principal visible spokesman on the allied side, contingent upon the Government of Vietnam adopting positions acceptable to the

No. 3: What role in negotiations will we concede to the Government of Vietnam and to our allies who are contributing military forces?
(Annex D)

* Australia, New Zealand, the Philippines, the Republic of Korea, the Republic of Vietnam, Thailand and the United States

Question

No. 3: (Continued)

Conclusions

United States and the other allies. During the negotiations, it will be necessary that the Seven Nations act in close consultation and coordination on all substantive issues.

c. Prenegotiation arrangements might begin with military representation from the Government of Vietnam and North Vietnam, and US observers, meeting in the demilitarized zone (or other suitable location) in order to establish the ground rules for the negotiations. At that time, based upon guidance from higher authority, conference representation would be decided upon. Such representation would be consistent with the nature, scope, and objectives of the conference.

d. Negotiators dealing with military matters should be military personnel. An advisory committee of military representatives of the Government of Vietnam, the United States, and our Third Country Allies contributing military forces should be formed in order to enable the attainment of a unison of military views on matters of a military nature.

No. 4: How will we avoid a stalemate in negotiations on the pattern of Panmunjom? (Annex E)

a. A cessation of our military operations against the enemy prior to and/or during the negotiations would enhance the communist position, would provide North Vietnam with an opportunity to sustain and increase its support of the Viet Cong, and would enable it to string out the negotiations in the hope of wearing down the allied negotiators and, thus, of obtaining a settlement more favorable to the communists.

b. Despite pressures to suspend US/Government of Vietnam/Free World Military Assistance Forces military operations in order to provide ostensibly a more favorable climate for negotiations, such operations, including air and naval actions against North Vietnam, should be continued during the negotiations, except insofar as North Vietnam has met our conditions for halting the bombing. In any event, a cessation of our bombing in the North should not restrict allied military operations in the South or in Laos, which should be continued during the negotiations.

c. If a decision is made to suspend the bombing in North Vietnam, in connection with their meeting our conditions for such a halt preliminary to negotiations, the bombing should be resumed if communist intransigence or stalling precludes satisfactory progress during the negotiations.

d. Therefore, military operations should be continued and should be pressed vigorously during negotiations. They should be suspended only to the extent agreed upon in the negotiations. It should be made clear that any failure on the part of North Vietnam to comply with the terms of any agreement will be met by a resumption of hostilities (if they have been suspended or reduced) in an appropriate degree.

e. The Government of Vietnam has the sovereign right of circulation throughout all of South Vietnam and the obligation to protect its citizens and to maintain law and order. In no instance should this right be restricted, jeopardized, or negotiated.

Question

No. 5: How can we prepare US and international public opinion for the tough positions which the United States must take in any settlement which will achieve our basic objective of an independent Vietnam free from aggression? (Annex F)

Conclusions

- a. We should be doing everything possible now to gain the support of US and international public opinion for our position on Vietnam. Our approach must emphasize the reasonableness of this position.
- b. The United States needs to assert the following points in order to gain understanding and acceptance by US and international public opinion:
 - (1) That the United States will stop bombing in the North when presented with clear evidence of a commensurate reciprocal de-escalation of hostilities by the other side. Further, that the United States will not discontinue bombing, or curtail other military efforts which contribute to the protection of the people of South Vietnam and the armed forces of our allies in South Vietnam as a price for participation in negotiations. Moreover, we would expect that the communists would enter negotiations with a sincere desire to achieve a satisfactory peace settlement within a reasonable period of time.
 - (2) That our bombing in the North has been against highly selective and, in many instances, heavily defended military targets; that great destruction at undefended points could have been accomplished with enormous effect and with far less loss to US forces if it were not for the humanitarian restraint exercised by the United States.
 - (3) That our side reserves the right, in the absence of an effective system of controls, to decide whether agreements have been violated and to take appropriate action.
 - (4) That, in the light of the Korean experience, the allies will not participate in a prolonged Panmunjom-type negotiation in which devious communist negotiating techniques were employed. That the United States, in the absence of steady progress, reserves the right to take selective military actions.
 - (5) That the North Vietnamese and Viet Cong continue to be encouraged to take advantage of Government of Vietnam amnesty programs during negotiations, offering them the opportunity to reintegrate as peaceful and useful citizens in South Vietnam.
 - (6) That the United States wants to get on with the important business of helping to build a nation in an atmosphere of peace and security.
 - (7) That, with honest fulfillment by the communists of the provisions applicable to them under the Manila Communiqué, US/FWMAF will withdraw based upon their commitments in that Communiqué.
 - (8) That the United States, as a further demonstration of its peaceful intentions and humanitarianism, reaffirms its willingness to assist in the economic development of Southeast Asia and otherwise to promote regional cooperation.

Question

No. 5: (Continued)

Conclusions

c. The Secretary of State should be requested to form an interdepartmental study group to determine the scope, responsibility, timing, and content of the public statements necessary to establish our position on the above points. Such statements would include those to be made by key government and civil leaders of both the United States and South Vietnam, as well as those of other allied countries and of other countries whose support we are seeking.

~~TOP SECRET - SENSITIVE~~

ANNEX B TO APPENDIX A

1. ~~TOP SECRET - SENSITIVE~~ Question No. 1. What price should we exact for
the cessation of bombing in the North?

2. ~~TOP SECRET - SENSITIVE~~ Background

a. Hanoi has continued to demand that we unconditionally
stop our bombing of North Vietnam. Our policy statements on
this subject have been both frequent and conciliatory in
nature. For example:

(1) In his address at Manchester, New Hampshire,
on 20 August 1966, President Johnson stated:

"Both publicly and privately we have let the
leaders of the North know that if they will stop
sending troops into South Vietnam, we will immediately
stop bombing military targets in their own country."

(2) In his address to the UN General Assembly on
22 September 1966, Ambassador Goldberg stated:

". . . the United States is willing once again
to take the first step. We are prepared to order
a cessation of all bombing of North Vietnam -- the
moment we are assured, privately or otherwise, that
this step will be answered promptly by a corresponding
and appropriate de-escalation on the other side. We
therefore urge that the Government in Hanoi be asked
the following question to which we would be prepared
to receive either a private or a public response:
would it, in the interest of peace, and in response to
a prior cessation by the United States of the bombing
in North Vietnam, take corresponding and timely subse-
quent steps to reduce or bring to an end its own military
activities against South Vietnam?" This position was
reaffirmed* on 2 February 1967.

* State Circular message number 130520, dated 2 February 1967,
JCS IN 82467

b. Hanoi and Peking called the above proposals a
"peace swindle." This is generally characteristic of
their reactions to other peace efforts on our part.
Hanoi continues its aggression against the South.

3. ~~(S)~~ Discussion

a. Basic to the question, "What price should we exact
from the communists for the cessation of bombing in the
North," are the major de-escalation measures available
to us and to the other side, namely:

(1) United States/Government of Vietnam

(a) Cessation or reduction of bombing in North
Vietnam or in certain areas in North Vietnam.

(b) Cessation of all or part of other air and
naval actions against North Vietnam.

(c) Cessation of military operations against North
Vietnamese Army/Viet Cong units in South Vietnam.

(d) Cessation of further increase of US/Free
World Military Assistance Forces in South Vietnam.

(e) Withdrawal of US/Free World Military Assist
ance Forces from South Vietnam.

(f) Amnesty for Viet Cong and political rights
for former Viet Cong.

(g) Economic aid to North Vietnam.

(2) North Vietnam/Viet Cong

(a) Cessation of infiltration of personnel
and materiel into South Vietnam, Laos, and Cambodia.

(b) Cessation of military operations in South
Vietnam.

(c) Cessation of acts of terrorism and other
incidents in South Vietnam.

(d) Withdrawal of the North Vietnamese Army and
cadres from South Vietnam, Laos and Cambodia.

(e) Cessation by North Vietnam of its support and direction of the Viet Cong/Pathet Lao.

(f) Dissolution of the Viet Cong.

c. The air campaign in the North constitutes a major military activity where we have the initiative and can selectively control the intensity of combat. In placing a cessation of our bombing in North Vietnam within the wider context of achieving US objectives in Vietnam, we should bear in mind that the bombing campaign has made the North Vietnamese invasion of the South very difficult and costly. In addition, the bombing has contributed to an improvement in South Vietnamese morale.

d. In addition to a North Vietnam agreement to stop the infiltration of personnel and materiel into South Vietnam, with effective inspection and verification thereof, we should exact, if at all possible, other concessions on their part before we agree to a cessation of bombing in North Vietnam. Should the United States cease bombing in the North, without first exacting commensurate reciprocal de-escalation action, North Vietnam might well interpret such a cessation as a sign of US weakness, as a willingness to enter negotiations at all costs with the objective of finding a way to get out. Thus, North Vietnam might be encouraged to take a stronger stand on other issues. In any event, North Vietnam would have an opportunity to engage in protracted, inconclusive negotiations (unless we settled on their terms) while they, relatively free from military pressures against them in the North, tried to win the war in the South. In this regard, once the United States has entered negotiations on such a basis, we would probably find it very difficult to reinstitute bombing in the North as long as Hanoi indicated a willingness to continue to negotiate - no matter how

unsatisfactory such negotiations might be to us. Finally, we should keep in mind that the Government of Vietnam has attached considerable importance to bombing in the North and that a cessation under the foregoing conditions could lead to further Government of Vietnam political instability with consequent deleterious effects to the allied war effort. Under no circumstances should there be acceptance of any restriction on the right of the Government of Vietnam or its allies to free access to all of South Vietnam.

e. In short, if the United States were to cease bombing in the North without exacting commensurate de-escalation action by North Vietnam, we would forfeit major strategic and tactical advantages to the enemy, enabling him to conduct a protracted war in South Vietnam with relative impunity to his homeland.

4. ~~(S)~~ Conclusions

a. The minimum price we should exact for a cessation of our bombing in the North is a cessation by North Vietnam of its infiltration of personnel and materiel into South Vietnam and Laos, with effective inspection and verification thereof.

b. The Government of Vietnam has the sovereign right of circulation throughout all of South Vietnam and the obligation to protect its citizens and to maintain law and order. In no instance should this right be restricted, jeopardized, or negotiated.

c. Since a cessation of our bombing in the North is one of our most important negotiating assets, we should endeavor to exact additional concessions. In terms of immediacy, these concessions include:

(1) A cessation of support and direction by North Vietnam of the Viet Cong and conclusive demonstration that withdrawal to North Vietnam has begun of North Vietnamese military forces and equipment and cadres from South Vietnam and the demilitarized zone, and from the Laotian Panhandle.

(2) A cessation of North Vietnamese military operations in South Vietnam.

(3) A significant reduction of North Vietnamese/Viet
Cong acts of terrorism in South Vietnam.

d. Additional concessions, in terms of what is needed for
the restoration of peace in South Vietnam, are listed below.
While these concessions are not now of the immediacy of those
in subparagraph 4b, above, they could become so with the
passage of time and changes in the military situation.

(1) The withdrawal by North Vietnam of all its military
forces and equipment and cadres from South Vietnam and
the demilitarized zone, and from the areas of Laos not
occupied by the communists prior to the signing of the
Geneva Accords on Laos in 1962, with effective inspection
and verification. During this withdrawal, all radio
transmissions would be in the clear. Withdrawal would
include the dismantling of the communications net.

(2) A cessation of all North Vietnamese/Viet Cong
acts of terrorism in South Vietnam.

(3) Agreement by North Vietnam and the Viet Cong
to exchange prisoners with the allies.

e. A firm agenda for reaching agreement on specific
issues should be established, and progress on this agenda
should be insisted upon. Drawn out negotiations caused by
communist intransigence or stalling or communist violation
of any of the conditions which led to a cessation of the
bombing in North Vietnam should constitute a basis for
resumption of the bombing.

ANNEX C TO APPENDIX A

1. ~~(S)~~ Question No. 2. What forms of verification are
essential to protect ourselves against unfulfilled communist
promises or the traps of a phony de-escalation?

2. ~~(S)~~ Background. Previous attempts at supervision
and control of peace agreements in Vietnam and Laos have
been notably unsuccessful. A summary of major areas of
deficiency of the Vietnam International Commission for
Supervision and Control and possible alternatives are
contained in Tab A hereto. In addition, a review of other
international peacekeeping efforts since World War II is
presented in Tab B hereto. While no verification system
can be expected to be completely effective, it would be
prudent to draw upon past experience in developing veri-
fication procedures which are free of serious deficiencies.

3. ~~(S)~~ Discussion

a. As reflected in Tabs A and B hereto, the history of
the international peacekeeping organizations since World
War II has been marked by patterns of intransigence,
subversion, and obstructionist tactics and, in short,
ineffectiveness. Vietnam has been no exception. For this
reason, unilateral peacekeeping by the participants is most
likely to evolve in Vietnam unless provisions for effective
inspection and verification are agreed upon through a
peace conference.

b. Responsive to a recommendation* by the Joint Chiefs
of Staff, the Secretary of Defense has arranged for an
interdepartmental group to study: the principles and

* JCSM 648-66 dated 10 October 1966, subject: "Proposals for a
New International Control Commission for Supervision of a Peace
Treaty in Vietnam (S)"

guidelines for an effective inspection and verification 1
system; how a peace agreement should be enforced; what 2
the role of the United States should be and how the 3
United States can safeguard its initiatives for using 4
its power to protect US interests in the event of in- 5
fractions of the peace agreement. 6

c. The above study will be referred to the Joint 7
Chiefs of Staff for review. 8

4. ~~(S)~~ Conclusions 9

a. There is no case since World War II where an 10
international peacekeeping organization has been fully 11
effective in maintaining the peace. Moreover, in view 12
of past patterns of communist intransigence, subversion 13
and obstructionist tactics, there is serious doubt that 14
any form of an international control commission can be 15
effective in Vietnam. 16

b. If the United States is to accept an international 17
control commission in Vietnam, a new organization must 18
be developed which is free of the serious deficiencies 19
of the present commission (see TAB A hereto). 20

c. A preferred alternative to a new international 21
control commission is unilateral inspection and policing 22
of the truce by the belligerents themselves, particularly 23
during the period of negotiations and prior to assumption 24
of this responsibility by an international control 25
commission. Such activities would include: patrolling 26
and unlimited access by US/Government of Vietnam/Free 27
World Military Assistance Forces to all parts of South 28
Vietnam, including the southern portion of the demili- 29
tarized zone; air reconnaissance and surveillance over 30

North Vietnam, South Vietnam, and Laos, as well as other 1
forms of intelligence collection, to include coastal 2
surveillance of North Vietnam, South Vietnam and Cambodia, 3
and covert operations in Laos and Cambodia to detect any 4
attempts by North Vietnam/Viet Cong to infiltrate personnel 5
and materiel into those countries and from them into 6
South Vietnam. 7

d. Under a formal agreement requiring withdrawal of 8
US forces, inspection and verification should be placed 9
in the hands of an international organization only if it 10
is in-being, in-place, and effective. It should be 11
recognized, however, that the organization probably 12
would have neither the responsibility for nor the capa- 13
bility of enforcing the peace. 14

e. DIA and other intelligence resources should continue 15
surveillance and analysis of areas, points, and routes 16
on land, sea, and in the air to include North Vietnam and 17
South Vietnam, Laos, Cambodia, and other possible areas 18
of interest in Southeast Asia; further, data derived 19
therefrom should be kept current for ready reference. 20

TAB A TO ANNEX C TO APPENDIX A

SUMMARY OF MAJOR AREAS OF DEFICIENCY OF VIETNAM ICC

ISSUE	1954 GENEVA ACCORDS	ALTERNATIVE
1. Member Nations on ICC	Total of three - India - Chairman (Neutral), Poland and Canada (one from each side)	Possible increase of membership to five or more. Include neutrals. Also include representation from the former belligerents, if practicable.
2. Voting Procedures	Unanimous vote of three member nations required for amending or adding to agreements, violations, and reduction of ICC activities. Majority vote to determine other matters of "interpretation."	No unanimity requirement. Majority vote to determine.
3. Reporting Procedures	Not specified. Reports made by ICC as frequently or infrequently as deemed advisable - usually long after any given event had occurred.	Agreement specify number, format, frequency, and distribution of reports and provide for dissenting views.
4. Number and Authority of Inspection	Provided for fixed and mobile teams, but specified only number and location of fixed teams. In Vietnam, 7 in South and 7 in North. Approval of party required to inspect outside of assigned area.	Provide sufficient teams with appropriate equipment for both fixed and mobile teams. Minimum restrictions as to zones of action or authority. Inspection teams must police the roads, trails, and combat areas in SVN, the DMZ, and Laos to ensure that infiltration has in fact ceased and that communist withdrawal has occurred.
5. Security of Teams	Not provided. French and Indian protocols mentioned need for security measures, but agreements per se made no provisions.	Provide for by international peace-keeping force to accompany teams.
6. Logistic and C-E Support of Teams	ICC depended on cooperation of the parties to the Agreement for transportation and logistic support.	Completely self-sufficient in transportation, logistic support, and communications-electronics support.
7. Rights of Access and Inquiry	Ambiguous. Both sides refused to permit teams to control areas designated as "military." Witnesses not produced and communication with teams limited by parties.	Specify in agreements what areas are excluded, if any. Allow full right of petition to teams and unlimited contact of teams with witnesses and local authorities.

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TAB B TO ANNEX C TO APPENDIX A

POST WORLD WAR II INTERNATIONAL PEACEKEEPING ORGANIZATIONS
(less Vietnam)

Peacekeeping Organizations

United Nations Truce Supervisory Organization (UNTSO)

Background

This military observer group was established to supervise the Arab-Israeli armistice agreements of 1949. It consists of approximately 280 personnel (of which about 120 are military observers and military staff) drawn from Australia, Belgium, Canada, Denmark, France, Ireland, Italy, the Netherlands, Norway, and the United States. Most of the military observers are assigned to the four Mixed Armistice Commissions (MACs) and to static observation posts along the borders. UNTSO headquarters is in Jerusalem.

UNTSO's ability to maintain the cease-fire ordered by the Security Council in August 1949, supervise the terms of the armistice agreements, and resolve disputes or halt violations through negotiation is limited. Restrictions have been placed on the activities and movement of UNTSO personnel by the Arabs and the Israelis. Israel has refused to participate fully in the Israeli-Syria Mixed Armistice Commission and since 1956 has refused to recognize the Israel-Egypt General Armistice Agreement and MAC. In addition, UNTSO has no means by which to enforce its decisions. Nevertheless, UNTSO has served as a useful restraining influence on all of the parties and frequently has served as a means of communication and negotiation in the settlement of local disputes which might have otherwise developed into a major conflict.

United Nations Emergency Force (UNEF)

This force continues to do an effective job in preventing incidents along the Israeli-Egyptian border by providing a physical/symbolic buffer. It was established during the Suez crisis of 1956 and is presently composed of contingents of seven countries (Brazil, Canada, Denmark, Norway, India, Sweden, and Yugoslavia), a total of approximately 3,500 personnel. UNEF efforts to consolidate camps and to eliminate some observation posts promise improved operations and some savings.

Deficiencies/Difficulties Encountered

1. No clear mandate.
 2. Restrictions on observation posts and travel.
 3. No enforcement provisions.
 4. Needs majority vote rather than unanimity since guilty party has never voted against self.
 5. No provision for security of teams.
 6. Communication-electronic support would be needed if granted added freedom of investigation.
 7. Right of access not provided by specific agreement in writing.
-
1. Financial support by UN members is not assured.
 2. Reporting procedures are not specified.
 3. Need more personnel and equipment (vehicles, CE, helicopters) to seal border.
 4. No security for teams in case of aggression by either side.
 5. Agreements do not specify rights of access and inquiry.

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Peacekeeping
Organization

United Nation's Yemen
Observation Mission
(UNYOM)

Background

On 29 April 1963, the UN Secretary General reported to the Security Council that Yemen, Saudi Arabia and the UAR had formally agreed to a disengagement plan in Yemen. A demilitarized zone of 20 kilometers on each side of the border was to be established from which military forces would be excluded. In this zone, impartial observers were to be stationed to check on observance of the terms of the disengagement agreement and would have the responsibility of traveling beyond the zone to certify suspension of Saudi military aid to the royalists and outward movement of UAR forces.

As a result of this agreement, UNYOM was organized.

On 20 July 1963, all ground units of UNYOM were in place (A contingent of 110 Yugoslavs). Teams were set up at ports of entry. UNYOM also included a 50-man Canadian air squadron with small observation aircraft.

UNYOM was hampered from the beginning by disagreements between the UAR and Saudi Arabia, the difficult terrain in which it had to operate and the reluctance of both sides to cooperate. By 1964, it had in effect ceased to exist.

United Nation's
Commission on India
and Pakistan
(UNCIP)

At the request of India, the UN Security Council in January 1948 considered the threat to international peace and security posed by the Indo-Pak conflict over the independent State of Jammu and Kashmir. After deliberations and representations by both parties to the dispute, a United Nations Commission on India and Pakistan (UNCIP) was established by the council to proceed to the subcontinent, investigate the facts of the situation, make reports to the council, and exercise "any mediatory influence likely to smooth away difficulties."

At the instigation of the Commission, a cessation of hostilities was accomplished on 1 January 1949. The Commission then appointed 36 military observers drawn from the armies of USA, Canada, Belgium and Norway to report on observance of the cease-fire agreement. (By 1954, this group had grown to 55 from some 10 countries, had dropped to 43 at the time of the Indo-Pak war of 1965, and was then increased to 102 at the urging of the Security Council.) On 27 July 1949, agreement was reached on a demarcation of the cease-fire line.

Deficiencies/Difficulties Encountered

1. Inadequate size of force for area and terrain.
2. Poor communications.
3. Would require additional security elements for adequate protection.
4. Rights of Access and Inquiry were limited and not specified in UN mandate.

1. Commission had no means of enforcing decisions or recommendations.
2. Intransigence by India and Pakistan.
3. Failure of belligerents to report trouble area to observer teams.

Background

The next step in the procedure, withdrawal of forces from both sides of the ceasefire line, was a matter of serious disagreement between India and Pakistan, and the Commission found itself unable to exercise any influence. The Commission, therefore, recommended its replacement by a single mediator in that it felt it had exhausted all possibilities of influencing further steps toward a settlement of the basic issue. A single mediator was appointed in December 1949. Thereafter, a series of mediators have failed to bring about the remaining two steps necessary to a solution to the Kashmir question:

- a. Withdrawal of forces from both sides of the ceasefire line.
- b. Administration of a free and impartial plebiscite in order that the people of Jammu and Kashmir might choose their national destiny.

As a result of continued tensions, open Indo-Pak hostilities again broke out in September 1965 and, today, after another UN-urged cease-fire, feelings still run high and solution of the basic problem is probably further removed from the realm of possibility.

Korean Military
Armistice
Commission (MAC)

Truce negotiations began on 25 June 1950. Hostilities ended with signing of Armistice Agreement (AA) on 27 July 1953. The Agreement provided for:

a. A DMZ 4000 meters wide extending across the Korean peninsula, through the Han River estuary to the Yeslow Sea. Within the DMZ is a Military Demarcation Line (MDL) which runs the length and through the middle of the DMZ.

b. A Military Armistice Commission (MAC) to supervise implementation of the AA and settle through negotiations any violations thereof. Subordinate to the MAC are Joint Observer Teams (JOT) to investigate reported armistice violations within the DMZ. Under the terms of the AA, these teams can be dispatched by the senior member of either side of the MAC i.e., the UN side or the Korean People's Army/Chinese People's Volunteers (KPA/CPV).

Deficiencies/Difficulties Encountered

1. Communist use the MAC sessions as a propaganda forum.
2. JOT not utilized owing to communist refusal to participate in investigating reported violations.
3. The Neutral Nations Supervisory Commission (NNSC) has been ineffectual since 1957. NNSC is not permitted into North Korea for inspection/observation purpose.
4. Communists continued aggressiveness is evidenced by frequent patrol actions, kidnapping, infiltration of agents and shooting across the DMZ.

Peacekeeping
OrganizationBackground

c. The Neutral Nations Supervisory Commission (NNSC) is composed of military representatives of Sweden and Switzerland for UN side and Poland and Czechoslovakia for KPA/CPV. It is an independent fact-finding body for inspecting and observing outside of IMZ, rotation of personnel and receipt of combat material at prescribed ports of entry in North and South Korea.

1954 Geneva Accords -
Laos and Cambodia
ICC's

The 1954 Accords required that pro-communist forces were to be withdrawn to the two northern Laotian provinces of Phong Saly and Sam Neua. All pro-communist troops were to be withdrawn from Cambodia. India, Poland and Canada were to provide personnel for an armistice commission (ICC) in both countries. In July 1958 as a result of a RLG request, the ICC in Laos was adjourned.

1962 Geneva Accords -
Laos ICC

In July 1962 the foreign ministers of 14 nations signed a declaration on the neutrality of Laos. An ICC, consisting of representatives of Canada, India and Poland would supervise the neutrality.

Deficiencies/Difficulties Encountered

1. Efforts of the ICC's to function effectually were repeatedly thwarted by USSR influence on the Polish member.
2. Efforts to expand the ICC in Cambodia as requested by Sihanouk in 1966 were resisted by the communists.
3. The communist ICC member has repeatedly blocked investigative efforts of violations of sovereignty.
4. The Pathet Lao have refused inspection by the ICC.

ANNEX D TO APPENDIX A

1. ~~(S)~~ Question No. 3. What role in negotiations will we concede to the Government of Vietnam and to our allies who are contributing military forces?

2. ~~(S)~~ Background. The role in negotiations of the Government of Vietnam and of our allies who are contributing military forces in Vietnam would have to be viewed in the light of the scope and nature of the negotiations which materialize. We may expect that Australia, New Zealand, the Philippines, Thailand, and the Republic of Korea will demand some form of representation in any negotiations on Vietnam owing to their contributions of military forces.

3. ~~(S)~~ Discussion

a. The roles in negotiations of the various participants would be tied to what we would hope to achieve as the end product of our negotiations, i.e., our post-hostilities objectives. The Joint Chiefs of Staff consider that these objectives should include:

(1) To ensure an independent, noncommunist South Vietnam.

(2) To promote the political, economic, and social development of South Vietnam and other countries in Southeast Asia to the mutual benefit of the United States and of those Asian countries concerned.

(3) To ensure the establishment and effective operation of inspection and enforcement machinery requisite to maintaining the peace in Vietnam.

(4) To contain Communist China and North Vietnam insofar as their expansion into Southeast Asia and elsewhere in the Western Pacific is concerned.

b. Also having a direct bearing on the roles in negotiations of the various participants are the options

which may be available for such negotiations. Those
options include:

(1) Reconvening the Geneva Conference of 1954.* The Department of State has indicated that, while the 1954 Accords leave much to be desired as a definitive international framework for an independent and secure South Vietnam with appropriate international safeguards, most of the basic elements are present in one form or another; further, that the Accords could thus provide the framework for the negotiations. It should be noted, however, that the Accords dealt primarily with military problems associated with a cessation of hostilities, leaving the political problems to be resolved later between South Vietnam and North Vietnam. In addition, it must be recognized that the military situation has changed drastically since 1954. Therefore, it is doubtful that these Accords could provide the framework for present day negotiations.

(2) Convening a New International Conference. There are, of course, numerous possible combinations of participating powers in this conference. However, participation should be limited to the main protagonists in South Vietnam (the United States, South Vietnam, and North Vietnam). The Viet Cong could be represented in the North Vietnamese delegation.

(3) Convening a Conference Between the Two Vietnams. A bilateral agreement could be attempted between North Vietnam and South Vietnam on establishing a new present and future relationship between these two nations.

* The participating countries were: Cambodia, Communist China, France, Laos, North Vietnam, South Vietnam, the United Kingdom, the United States, and the USSR.

(4) Convening a Two-Stage Conference. This option could begin with negotiations between South Vietnam and North Vietnam, with each side free to bring in other countries and groups as advisors. On the basis of understandings and agreements reached during the conference, other interested powers could be brought in. Later, an international conference could be reconvened to ratify agreements made during the bilateral negotiation.

(5) Convening a Dual Conference. This option would involve two related but separate negotiations. An international negotiating conference would consider such matters as cessation of hostilities, the cessation of infiltration, withdrawal of military forces and the inspection and verification associated therewith, and relations between South Vietnam and North Vietnam. It would not address internal South Vietnam problems. If the Viet Cong were represented at this negotiation, it would be as a part of the North Vietnam delegation. The companion negotiating conference would be an internal or domestic negotiation between the Government of Vietnam and the Viet Cong. It could consider such matters as the methods of reintroducing rehabilitated Viet Cong into the political life of South Vietnam, amnesty, and turning in arms.

c. The purpose here in listing the above negotiating options is not to analyze them in order to determine which option should be selected, but to set forth some of the major considerations involved in assessing the roles in negotiations which we will concede to the Government of Vietnam and to our allies who are contributing

military forces, and to indicate the range of conference
representation that might be involved. Technically, the
basic question could have been posed in a somewhat
different perspective in the sense of what role the
Government of Vietnam would concede to the United States
and Third Country Allies. In any case, a fundamental con-
sideration in selecting from these options is whether
the United States should simply seek a settlement of the
issues between the two Vietnams or whether (and if so, how)
we should try to relate such a settlement to the outstanding
issues involving other Southeast Asian countries, in parti-
cular Laos. The merit in restricting the scope of
negotiations is that it could involve fewer partici-
pating nations, agreements could be reached more
easily, and it could still provide a basis for subse-
quent more far-reaching agreements. Conversely,
restricted negotiations would not necessarily lend
themselves readily to establishing stability throughout
Southeast Asia, and we might find that the major
locus of the conflict with the communists had merely
been transferred to North Vietnam-Laos or Cambodia-
Vietnam under conditions less to our advantage and
possibly requiring further US commitment to achieve
a satisfactory outcome.

d. Conference representation should be consistent with
the scope and objectives of the conference. If a conference
is limited to the problems of Vietnam, the attendance of
all the Geneva powers would not be in the interests of the
US/Government of Vietnam. On the allied side, there are

options as to the representation of those third countries
contributing military forces in Vietnam. Those options
may include: our Third Country Allies would not parti-
cipate in the talks, contenting themselves with observer
status and close consultation with the United States/
Government of Vietnam; together with the United States,
our Third Country Allies would be part of a "Free World"
delegation functioning as junior partners of the United
States; our Third Country Allies would comprise collectively
another party to the talks; our Third Country Allies would
participate individually as protagonists in the war.

e. With the above options in mind, several considerations
bearing on intrarelations between the major allies in
Vietnam should be enumerated, namely:

(1) It would be essential for the United States and
the Government of Vietnam to adopt the same position
on substantive issues in order to preserve the highest
possible degree of mutual confidence and to improve
the possibility for a favorable outcome to the
negotiations.

(2) Our allies contributing military forces in
Vietnam (Australia, New Zealand, the Philippines,
Thailand, and the Republic of Korea) might have interests
at variance with those of the United States, which would
have to be taken into account. These countries must be
consulted in a negotiating situation. A review of some
of those countries' possible motivations follows:

(a) Australia. A continued US physical presence
in the area is a fundamental consideration in Australian
foreign policy and is undoubtedly a principal factor

in motivating Australia to commit forces to Vietnam. 1
Australia thus could have a significant security stake 2
in the outcome of negotiations on Vietnam and could 3
be expected to view with concern any sign that the 4
United States was prepared to withdraw from Vietnam 5
without adequate safeguards against a communist take- 6
over in the South and/or without arranging for a com- 7
pensatory military presence elsewhere in the area. 8

(b) New Zealand. New Zealand would probably feel 9
much the same way about negotiations as Australia. 10

(c) The Philippines. The Filipino commitment to 11
South Vietnam is motivated by the fear of communist 12
expansion. In the background, there are ideological 13
considerations of anticommunism not only in terms of 14
the Southeast Asian region but of negating communist 15
influence on a national basis. Finally, the Filipinos 16
are tending toward exercising a greater influence in 17
Asian affairs, which is enabled by their commitment in 18
South Vietnam. 19

(d) Thailand. Thai support of US policy in Vietnam 20
is motivated primarily by the fear of communist expansion, 21
with ideological considerations of anticommunism in the 22
background. A major consideration in our relations with 23
the Thais should be the recognition that they, in view 24
of their alignment with the United States and their 25
geographical proximity to and historical antagonism with 26
mainland China, may demand that the United States 27
reaffirm, possibly in writing, its security commitments 28
in Thailand. We can certainly expect that the Thais 29
will take a hard line with regard to security, and that 30
this consideration will greatly influence Thai attitudes 31
toward negotiations. 32

(e) The Republic of Korea. The South Koreans are, 1
as in the case of the Filipinos and Thais, motivated 2
primarily by their fear of communist expansion and by 3
their desire to exercise greater influence in Asian 4
affairs. For these reasons, and because of their experi- 5
ence in dealing with the communists, as well as their 6
large commitment of military forces in South Vietnam, 7
the South Koreans would likely pursue a hard line in 8
the negotiations. We must continue to treat them as a 9
close partner and keep them well informed of the 10
progress of negotiations. 11

4. ~~(S)~~ Conclusions 12

a. The Seven Nations* should develop their negotiating 13
positions and strategy well in advance of any peace negoti- 14
ations. Their pronouncements in the Manila Communique can 15
provide a suitable framework for the objectives to be 16
sought. The negotiating strategy should prescribe the role 17
of each allied nation, to include who will be negotiators 18
and who will be observers. The negotiators should be South 19
Vietnam and the United States (ostensibly the United States 20
would be an observer with the understanding that, behind the 21
scene, it would have a primary role). The remainder would be 22
observers. 23

b. Since the main antagonists are South Vietnam and 24
North Vietnam, and in order not to create the impression 25
of impinging upon South Vietnamese sensibilities concerning 26

* Australia, New Zealand, the Philippines, the Republic of Korea,
the Republic of Vietnam, Thailand, and the United States.

their sovereign status, the Government of Vietnam should 1
desirably be the principal visible spokesman on the 2
allied side, contingent upon the Government of Vietnam 3
adopting positions acceptable to the United States and 4
the other allies. During the negotiations, it will be 5
necessary that the Seven Nations act in close consulta- 6
tion and coordination on all substantive issues. 7

c. Prenegotiation arrangements might begin with 8
military representation from the Government of Vietnam 9
and North Vietnam, and US observers, meeting in the de- 10
militarized zone (or other suitable location) in order 11
to establish the ground rules for the negotiations. At 12
that time, based upon guidance from higher authority, 13
conference representation would be decided upon. Such 14
representation would be consistent with the nature, 15
scope, and objectives of the conference. 16

d. Negotiators dealing with military matters should be 17
military personnel. An advisory committee of military 18
representatives of the Government of Vietnam, the United 19
States, and our Third Country Allies contributing 20
military forces should be formed in order to enable the 21
attainment of a unison of military views on matters of 22
a military nature. 23

ANNEX E TO APPENDIX A

1. ~~(S)~~ Question No. 4. How will we avoid a stalemate
in negotiations on the pattern of Panmunjom?

2. ~~(S)~~ Discussion

a. We have had enough experience in negotiating with
the communists to know that pressure should be maintained
during negotiations with them. A recent report* by the
Central Intelligence Agency presents an analysis of
communist fight-talk tactics and the implications of
these tactics for Vietnam today. Clearly, a lack of
negotiating leverage on our part is not conducive to a
success. In fact, one of the reasons why the Panmunjom
negotiations were so long and tedious is that the communists
were not subjected to sufficient military pressure to force
them to come to a prompt settlement. Military operations
should be continued as a means of expediting a favorable
outcome of the negotiations and should be suspended only
to the extent agreed upon in the negotiations.

b. Continued cessation of bombing in the North should be
contingent upon NVN compliance with the conditions for such
a halt. Moreover, such a cessation should not affect the
conduct of allied military operations in the South, which
should be continued and pressed vigorously during negotia-
tions. Once an agreement was reached to begin negotiations,
we would expect that they would be promptly initiated with
a view toward obtaining such a settlement. Recognizing
that any standstill in the military situation would be a
plus for the North Vietnamese Army/Viet Cong, we should
resume the bombing in North Vietnam (if it had been stopped)
in the instance of drawn-out negotiations caused by
communist intransigence or stalling or upon North Vietnam's
failing to meet the conditions which led to the halt in that
bombing.

* Asian Communist Employment of Negotiations as a Political
Tactic, Central Intelligence Agency, Reference Title:
ESAU XXXII, November 1966, RSS No. 0017/66.

c. During the course of negotiations there should be no restrictions placed on the movement of Government of Vietnam or allied personnel to any part of the country. Any such restriction would tend to legitimize Viet Cong occupation and control over large areas of the country, areas to which they could retire and establish as bases for future operations, e.g., as the Pathet Lao did in the case of the Laotian provinces of Sam Neua and Phong Saly. In short, a cease-fire or de-escalation of hostilities must not be permitted to interfere with the Government of Vietnam's right and obligation to preserve law and order within its borders, assisted by US and Free World Military Assistance Forces as necessary.

3. ~~TOP SECRET - SENSITIVE~~ Conclusions

a. A cessation of our military operations against the enemy prior to and/or during the negotiations would enhance the communist position, would provide North Vietnam with an opportunity to sustain and increase its support of the Viet Cong, and would enable it to string out the negotiations in the hope of wearing down the allied negotiators and, thus, of obtaining a settlement more favorable to the communists.

b. Despite pressures to suspend US/Government of Vietnam/Free World Military Assistance Forces military operations in order to provide ostensibly a more favorable climate for negotiations, such operations, including air and naval actions against North Vietnam, should be continued during the negotiations, except insofar as North Vietnam has met our conditions for halting the bombing. In any event, a cessation of our bombing in the North should not restrict allied military operations in the South or in Laos, which should be continued during the negotiations.

c. If a decision is made to suspend the bombing in North Vietnam, in connection with their meeting our conditions for such a halt preliminary to negotiations, the bombing should be resumed if communist intransigence or stalling precludes satisfactory progress during the negotiations.

d. Therefore, military operations should be continued and should be pressed vigorously during negotiations. They should be suspended only to the extent agreed upon in the negotiations. It should be made clear that any failure on the part of North Vietnam to comply with the terms of any agreement will be met by a resumption of hostilities (if they have been suspended or reduced) in an appropriate degree.

e. The Government of Vietnam has the sovereign right of circulation throughout all of South Vietnam and the obligation to protect its citizens and to maintain law and order. In no instance should this right be restricted, jeopardized, or negotiated.

ANNEX F TO APPENDIX A

1. ~~(S)~~ Question No. 5. How can we prepare US and international public opinion for the tough positions which the United States must take in any settlement which will achieve our basic objective of an independent Vietnam free from aggression?

2. ~~(S)~~ Background

a. US relaxation of military pressure during the negotiations in Korea, beginning in 1951, permitted a communist build-up and contributed toward two more years of war. By 1951, just prior to initiation of the armistice talks, the United States had suffered approximately 13,000 known dead during the Korean war. The number of US personnel killed during the ensuing two years of prolonged negotiations was approximately the same figure.

3. ~~(S)~~ Discussion

a. The considerations set forth in Question No. 4 (How can we avoid a stalemate in negotiations on the pattern of Panmunjom?) apply here.

b. Once negotiations have commenced, the Administration will be under pressure from numerous national and international peace groups, who may advocate positions contrary to US interests. In the United States, the anticipation of peace talks can be expected to have connotations of cease-fire, settlement atmosphere and, ultimately, a persistent "bring the boys home" pressure. Clearly, we will need the support of as many political, economic and social groupings as possible to advocate or defend the need for a firm, reasonable attitude with

respect to the tough positions the United States must
take at the conference table.

c. The points made must be clear, credible, and
reasonable. Basic to the tenor to be used in conveying
US positions is the proposition that the United States is
in South Vietnam only to aid that country and to thwart
communist aggression; further, that our motives are not
imperialistic. In substantiation, we should make clear
to all the world that we have restrained our great
military power, limited our objectives, agreed to
negotiations, sought peace in every way, and offered to
assist in the economic development of Southeast Asia,
including North Vietnam. Further, as a counter to
pressure toward "peace at any price," the allies, con-
sistent with their negotiating position, should take
steps to inform US and international public opinion of
the issues on either side, and the reasonable allied
position on these issues.

4. ~~(S)~~ Conclusions

a. We should be doing everything possible now to gain
the support of US and international public opinion for
our position on Vietnam. Our approach must emphasize the
reasonableness of this position.

b. The United States needs to assert the following
points in order to gain understanding and acceptance
by US and international public opinion:

(1) That the United States will stop bombing in
the North when presented with clear evidence of a
commensurate reciprocal de-escalation of hostilities
by the other side. Further, that the United States
will not discontinue bombing, or curtail other
military efforts which contribute to the protection

of the people of South Vietnam and the armed forces
of our allies in South Vietnam as a price for partici-
pation in negotiations. Moreover, we would expect
that the communists would enter negotiations with a
sincere desire to achieve a satisfactory peace
settlement within a reasonable period of time.

(2) That our bombing in the North has been against
highly selective and, in many instances, heavily
defended military targets; that great destruction at
undefended points could have been accomplished with
enormous effect and with far less loss to US forces
if it were not for the humanitarian restraint
exercised by the United States.

(3) That our side reserves the right, in the
absence of an effective system of controls, to decide
whether agreements have been violated and to take
appropriate action.

(4) That, in the light of the Korean experience,
the allies will not participate in a prolonged
Panmunjom-type negotiation in which devious communist
negotiating techniques were employed. That the
United States, in the absence of steady progress, reserves
the right to take selective military actions.

(5) That the North Vietnamese and Viet Cong continue
to be encouraged to take advantage of Government of
Vietnam amnesty programs during negotiations, offering
them the opportunity to reintegrate as peaceful and
useful citizens in South Vietnam.

(6) That the United States wants to get on with
the important business of helping to build a nation
in an atmosphere of peace and security.

(7) That, with honest fulfillment by the communists
of the provisions applicable to them under the Manila
Communique, US/FWMAF will withdraw based upon their
commitments in that Communique.

~~TOP SECRET - SENSITIVE~~

(8) That the United States, as a further demonstration of its peaceful intentions and humanitarianism, reaffirms its willingness to assist in the economic development of Southeast Asia and otherwise to promote regional cooperation.

c. The Secretary of State should be requested to form an interdepartmental study group to determine the scope, responsibility, timing, and content of the public statements necessary to establish our position on the above points. Such statements would include those to be made by key government and civil leaders of both the United States and South Vietnam, as well as those of other allied countries and of other countries whose support we are seeking.

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~~TOP SECRET - SENSITIVE~~

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APPENDIX B

DRAFT

MEMORANDUM FOR THE SECRETARY OF STATE

Subject: A Settlement of the Conflict in Vietnam (U)

1. ~~Reference~~ Reference is made to a report to the President
by General Maxwell D. Taylor, dated 30 January 1967, in
which he sets forth five key questions bearing on the
subject of a settlement of the conflict in Vietnam.

2. ~~The~~ The Joint Chiefs of Staff have prepared positions
on these questions, with which I concur. Since these
positions deal with matters of interdepartmental interest,
I am forwarding a copy for your use.

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~~SECRET~~

~~SECRET~~

APPENDIX B

MACV "PRACTICE NINE" AIR-SUPPORTED
ANTI-INFILTRATION PLAN ~~(S)~~

[Forwarded separately]

GROUP 3
DOWNGRADED AT 12 YEAR INTERVALS;
NOT AUTOMATICALLY DECLASSIFIED

~~SECRET~~